



State of Vermont
Department of Liquor Control
13 Green Mountain Drive
Montpelier, VT 05602
liquorcontrol.vermont.gov

Michael J. Hogan, Commissioner

[phone] 802-828-2339
[fax] 802-828-1031

Notice of Hearing

RE: HEARING TO CONSIDER THE SUSPENSION OR REVOCATION OF THE FIRST CLASS LICENSE GRANTED TO **AKD LLC, d/b/a ST. ALBANS DINER, 8 SWANTON ROAD, ST. ALBANS, VERMONT** SAID LICENSE BEING GRANTED TO SELL ALCOHOLIC LIQUOR FOR ON-PREMISE CONSUMPTION.

Please take notice that pursuant to the authority vested in the Vermont Liquor Control Board by Title 7, Section 236, Vermont Statutes Annotated, a hearing will be held before the Liquor Control Board at the Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont on Wednesday, October 9, 2013 at 9:30 a.m.

The hearing will be held as a formal hearing and will be held to consider the suspension or revocation of the first class license granted to **AKD LLC, d/b/a St. Albans diner, Swanton, Vermont**, said license being granted to sell alcoholic liquor for on-premise consumption, for alleged violation of General Regulation Number 10, which is set forth and specified below.

General Regulation No. 10: No first or third class liquor license shall be issued to a person who is not first licensed with the Vermont Department of Taxes to collect the Vermont Rooms and Meals tax. Suspension of first or third class liquor licenses may result by action of the Liquor Control Board, after notice and hearing, upon certification to the Board by the Vermont Department of Taxes that the licensee has failed to collect the Vermont Rooms and Meals tax, has failed to pay over to the Vermont Department of Taxes the Vermont Rooms and Meals tax collected, or is not licensed with the Vermont Department of Taxes to collect the Vermont Rooms and Meals tax

It is alleged that the licensee is not in good standing with respect to any and all taxes payable to the Commissioner of Taxes in violation of General Regulation Number 10.

The Liquor Control Board shall determine whether or not such alleged violations did occur as specified herein.

Pursuant to Title 3, Vermont Statutes Annotated, Section 809(d), the said **AKD LLC**, shall have an opportunity by itself or through its attorney to appear at said hearing to present evidence and argument on all issues involved in this case and bring before the Liquor Control Board all pertinent facts that the said licensee believes will have a bearing on the issues involved in this case.

All correspondence and documents pertaining to this matter should be sent to the Vermont Department of Liquor Control, 13 Green Mountain Drive, Montpelier, Vermont, 05602, to my attention.

Dated at Montpelier, Vermont, this 17th day of September 2013.

Vermont Department of Liquor Control

William J. Goggins
Education, Licensing & Enforcement Division



Liquor Control Board

Stephanie M. O'Brien, Chair, John P. Cassarino, Thomas Gallagher, Julian Sbardella, Melissa Mazza, Members

SENDER: COMPLETE THIS SECTION

- Complete Items 1, 2, and 3. Also complete Item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

AKD LLC
d/b/a St. Albans Diner
8 Swanton Road
St. Albans VT 05478

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Mary Richard ☒ Agent
☐ Addressee

B. Received by (Printed Name)

Mary Richard

C. Date of Delivery

9-18

D. Is delivery address different from Item 1? ☐ Yes
 If YES, enter delivery address below: ☐ No

3. Service Type

- ☒ Certified Mail ☐ Express Mail
- ☐ Registered ☐ Return Receipt for Merchandise
- ☐ Insured Mail ☐ C.O.D.

4. Restricted Delivery? (Extra Fee)

☐ Yes

2.

7010 2780 0000 1854 8258

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

9/18/13LP

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee
 (Endorsement Required)

Restricted Delivery Fee
 (Endorsement Required)

Postmark
 Here

09/18/2013

AKD LLC
d/b/a St. Albans Diner
8 Swanton Road
St. Albans VT 05478

PS Form 3800, August 2006

See Reverse for Instructions

7010 2780 0000 1854 8258



State of Vermont
Department of Taxes
133 State Street
Montpelier, VT 05633-1401

Agency of Administration

Via Facsimile
802-828-1031

October 09, 2013

Sargent Martin Prevost
Department of Liquor Control
13 Green Mt. Dr.
Montpelier, VT 05620

Re: Certificate of NOT in Good Standing for **AKD LLC dba: St Albans Diner**
FEIN: **45-0584171**

This is to certify that **AKD LLC dba: St Albans Diner** is **NOT** in good standing with respect to any and all taxes payable to the Commissioner of Taxes based on the data available as of the date of this letter.

Please feel free to call me at (802) 828-6851 if you have any questions concerning this matter.

Sincerely,

Linda Ainsworth
Tax Compliance Unit Supervisor

LA/pjh

Cc: AKD LLC; 8 Swanton Rd.; St. Albans. VT 05478-1577



13VL00524

State of Vermont
Department of Taxes
133 State Street
Montpelier, VT 05633-1401

Agency of Administration

Via Facsimile
802-828-1031

September 12, 2013

Sargent Martin Prevost
Department of Liquor Control
13 Green Mt. Dr.
Montpelier, VT 05620

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Sincerely,

Linda Ainsworth
Tax Compliance Unit Supervisor

LA/pjh

Cc: AKD LLC; 8 Swanton Rd.; St. Albans. VT 05478-1577



 DLC ENFORCEMENT DIVISION ADMINISTRATIVE NOTICE OF AGENCY ACTION Notice No. 00557	
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License Number 65380021RST01	
Corporation Name AKD LLC	DBA ST. ALBANS DINER
Physical Mailing Address 8 SWANTON RD.	County FRANKLIN

City ST ALBANS	State VT	Zip Code 05478	Business Phone 528-9505
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Licensee did then and there commit the following acts in violation of V.S.A. Title 7 Provision, or Liquor Board Regulation: **#10 NOT Keeping in GOOD STANDING w/ TAX DEPT.**

WHICH CONSTITUTES A VIOLATION OF:

General Regulation # 10	TITLE 7 Provision: 7 VSA
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<input type="checkbox"/> Written Warning- No Fines or Penalties copy of warning placed in licensee file	<input type="checkbox"/> See Attached Waiver Fine
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<input type="checkbox"/> Administrative Referral	<input checked="" type="checkbox"/> Hearing
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PENALTIES	If you plead DENIED and the state proves the violation, you will forfeit the waiver amount and be subject to an administrative referral.	If you plead ADMITTED or NO CONTEST , you may pay the waiver amount instead of appearing in court.
		WAIVER AMOUNT → \$

Delivered To: Last KOUGIAS	First ATHANASIOS	MI 	Date of Birth 8-26-1955
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Signature: 	<input checked="" type="checkbox"/> M <input type="checkbox"/> F	Title: OWNER
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The undersigned complains that the Licensee did violate the above identified V.S.A. Title 7 provision, or Liquor Control Board Regulation on this **26** day of **SEP**, 20**13** at **FRANKLIN** county.

Investigator Name: CLARK	Investigator Signature: 
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Investigator #: 2055	Date Served: 9/13/13	Time: 1030	<input checked="" type="checkbox"/> Hand <input type="checkbox"/> USMail
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*Important info about this administrative notice of agency action on reverse side
 WHITE: Enforcement; YELLOW: Investigator; PINK: Licensee; Goldenrod: Return with Fine

ENFORCEMENT